

gress an annual report concerning the operation of the Facility for the prior fiscal year. Such report shall include—

- (1) a description of the activities undertaken by the Facility during the previous fiscal year;
- (2) a description of any Agreement entered into under this subchapter;
- (3) a report on any Funds that have been established under this subchapter and on the operations of such Funds; and
- (4) a description of any grants that have been provided by administering bodies pursuant to Agreements under this subchapter.

(b) Supplemental views in annual report

Not later than December 15 of each year, each member of the Board shall be entitled to receive a copy of the report required under subsection (a) of this section. Each member of the Board may prepare and submit supplemental views to the President on the implementation of this subchapter by December 31 for inclusion in the annual report when it is transmitted to Congress pursuant to this section.

(Pub. L. 87-195, pt. V, §813, as added Pub. L. 105-214, §1, July 29, 1998, 112 Stat. 893.)

PRIOR PROVISIONS

Prior sections 2432 to 2435 were repealed by Pub. L. 94-329, title IV, §413(a), June 30, 1976, 90 Stat. 761.

Section 2432, Pub. L. 87-195, pt. V, §802, as added Pub. L. 93-189, §24, Dec. 17, 1973, 87 Stat. 728, authorized appropriation of \$504,000,000 for fiscal year 1974 to remain available until expended for relief and reconstruction of South Vietnam, Cambodia, and Laos.

Section 2433, Pub. L. 87-195, pt. V, §803, as added Pub. L. 93-189, §24, Dec. 17, 1973, 87 Stat. 728, provided for assistance to South Vietnamese children.

Section 2434, Pub. L. 87-195, pt. V, §804, as added Pub. L. 93-189, §24, Dec. 17, 1973, 87 Stat. 729, made provision for assistance to the Center for Plastic and Reconstructive Surgery in Saigon.

Section 2435, Pub. L. 87-195, pt. V, §806, as added Pub. L. 93-559, §41, Dec. 30, 1974, 88 Stat. 1812, directed that provisions covering special programs for relief of South Vietnam, Cambodia, and Laos not apply to programs related to population growth, narcotics control, humanitarian programs by international organizations, and regional programs.

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see Ex. Ord. No. 12163, Sept. 29, 1979, 44 F.R. 56673, as amended, set out as a note under section 2381 of this title.

For delegation of functions of President under subsec. (a) of this section, see section 2 of Ex. Ord. No. 13345, July 8, 2004, 69 F.R. 41901, set out as a note under section 1738 of Title 7, Agriculture.

SUBCHAPTER V—MIDDLE EAST ASSISTANCE

§§ 2441 to 2443. Repealed. Pub. L. 95-384, § 12(c)(4), Sept. 26, 1978, 92 Stat. 737

Section 2441, Pub. L. 87-195, pt. VI, §901, as added Pub. L. 93-559, §42, Dec. 30, 1974, 88 Stat. 1812; amended Pub. L. 94-329, title IV, §401, June 30, 1976, 90 Stat. 756, related to Congressional statement of policy with regard to Middle East assistance.

Section 2442, Pub. L. 87-195, pt. VI, §902, as added Pub. L. 93-559, §42, Dec. 30, 1974, 88 Stat. 1812, related to allocations of funds with regard to Middle East assistance.

Section 2443, Pub. L. 87-195, pt. VI, §903, as added Pub. L. 93-559, §42, Dec. 30, 1974, 88 Stat. 1812; amended Pub.

L. 94-329, title V, §502, June 30, 1976, 90 Stat. 763; Pub. L. 95-92, §13, Aug. 4, 1977, 91 Stat. 621, related to a special requirements fund with regard to Middle East assistance.

CHAPTER 33—MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM

Sec.

- 2451. Congressional statement of purpose.
- 2451a. Repealed.
- 2452. Authorization of activities.
- 2452a. Exchange program with countries in transition from totalitarianism to democracy.
- 2452b. International expositions.
- 2452c. Program to provide grants to American-sponsored schools in predominantly Muslim countries to provide scholarships.
- 2453. Agreements with foreign governments and international organizations.
- 2454. Administration.
- 2455. Appropriations.
- 2456. J. William Fulbright Foreign Scholarship Board.
- 2457. Reports by Board.
- 2458. Authority of President.
- 2458a. Federal employee participation in cultural exchange programs.
- 2459. Immunity from seizure under judicial process of cultural objects imported for temporary exhibition or display.
- 2460. Bureau of Educational and Cultural Affairs.
- 2461. Exchanges between United States and independent states of the former Soviet Union.
- 2462. Establishment of grant program for foreign study by American college students of limited financial means.
- 2463. Allocation of funds transferred to the Bureau of Educational and Cultural Affairs.
- 2464. Ethical issues in international health research.

§ 2451. Congressional statement of purpose

The purpose of this chapter is to enable the Government of the United States to increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchange; to strengthen the ties which unite us with other nations by demonstrating the educational and cultural interests, developments, and achievements of the people of the United States and other nations, and the contributions being made toward a peaceful and more fruitful life for people throughout the world; to promote international cooperation for educational and cultural advancement; and thus to assist in the development of friendly, sympathetic, and peaceful relations between the United States and the other countries of the world.

(Pub. L. 87-256, §101, Sept. 21, 1961, 75 Stat. 527.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 87-256, Sept. 21, 1961, 75 Stat. 527, as amended, known as the Mutual Educational and Cultural Exchange Act of 1961. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

SHORT TITLE

Pub. L. 87-256, §1, Sept. 21, 1961, 75 Stat. 527, provided: “That this Act [enacting this chapter, amending sections 1101, 1182 and 1258 of Title 8, Aliens and Nationality, sections 117, 871, 872, 1441, 3121, 3306, 3401 and 3402 of Title 26, Internal Revenue Code, and section 410 of Title

42, The Public Health and Welfare, repealing sections 1431(2), 1434, 1439, 1440, 1446, 1448, 1466 to 1468 and 1991 to 2001 of this title, sections 222 to 224 of Title 20, Education, and section 1641(b)(2) of Title 50, Appendix, War and National Defense, and enacting provisions set out as notes under this section and under sections 117, 1441, 3121 and 3401 of Title 26] may be cited as the ‘Mutual Educational and Cultural Exchange Act of 1961’.”

Pub. L. 87-256 is also popularly known as the “Fullbright-Hays Act”.

TRANSFER OF FUNCTIONS

Functions vested in President, Secretary of State, Department of State, United States Information Agency or Director thereof under this chapter transferred to Director of International Communication Agency by Reorg. Plan No. 2 of 1977, §7(a)(2), 42 F.R. 62461, 91 Stat. 1637, set out under section 1461 of this title, effective on or before July 1, 1978, at such time as specified by President, except (A) for such functions as are vested by sections 2452(b)(6), (10), 2454(a), (e)(1), (2), (f), (g), 2455(a), (b), (c), 2456(a) and 2458 of this title, (B) for such functions as are vested by sections 2454(b), 2455(d)(2), (f), and 2456(d), (f) of this title, to extent that such functions were assigned to Secretary of Health, Education, and Welfare [now Secretary of Education] immediately prior to effective date of Reorg. Plan No. 2 of 1977, and (C) for such functions as are vested by section 2456(b), (c) of this title to extent that any such function therein is vested in President or Secretary of State. International Communication Agency, and Director thereof, redesignated United States Information Agency, and Director thereof, by section 303 of Pub. L. 97-241, title III, Aug. 24, 1982, 96 Stat. 291, set out as a note under section 1461 of this title. United States Information Agency (other than Broadcasting Board of Governors and International Broadcasting Bureau) abolished and functions transferred to Secretary of State, see sections 6531 and 6532 of this title. References to United States Information Agency or International Communication Agency deemed to refer to Department of State, see section 6551 of this title.

EXPANSION OF UNITED STATES SCHOLARSHIP AND EXCHANGE PROGRAMS IN THE ISLAMIC WORLD

Pub. L. 108-458, title VII, §7112, Dec. 17, 2004, 118 Stat. 3796, provided that:

“(a) FINDINGS.—Consistent with the report of the National Commission on Terrorist Attacks Upon the United States, Congress makes the following findings:

“(1) Exchange, scholarship, and library programs are effective ways for the United States Government to promote internationally the values and ideals of the United States.

“(2) Exchange, scholarship, and library programs can expose young people from other countries to United States values and offer them knowledge and hope.

“(b) DECLARATION OF POLICY.—Consistent with the report of the National Commission on Terrorist Attacks Upon the United States, Congress declares that—

“(1) the United States should commit to a long-term and sustainable investment in promoting engagement with people of all levels of society in countries with predominantly Muslim populations, particularly with youth and those who influence youth;

“(2) such an investment should make use of the talents and resources in the private sector and should include programs to increase the number of people who can be exposed to the United States and its fundamental ideas and values in order to dispel misconceptions; and

“(3) such programs should include youth exchange programs, young ambassadors programs, international visitor programs, academic and cultural exchange programs, American Corner programs, library programs, journalist exchange programs, sister city programs, and other programs related to people-to-people diplomacy.

“(c) SENSE OF CONGRESS.—It is the sense of Congress that the United States should significantly increase its investment in the people-to-people programs described in subsection (b).

“(d) AUTHORITY TO EXPAND EDUCATIONAL AND CULTURAL EXCHANGES.—The President is authorized to substantially expand the exchange, scholarship, and library programs of the United States, especially such programs that benefit people in the Muslim world.

“(e) AVAILABILITY OF FUNDS.—Of the amounts authorized to be appropriated in each of the fiscal years 2005 and 2006 for educational and cultural exchange programs, there shall be available to the Secretary of State such sums as may be necessary to carry out programs under this section, unless otherwise authorized by Congress.”

ADVISORY COMMITTEE ON CULTURAL DIPLOMACY

Pub. L. 107-228, div. A, title II, §224, Sept. 30, 2002, 116 Stat. 1368, provided that:

“(a) ESTABLISHMENT.—There is established an Advisory Committee on Cultural Diplomacy (in this section referred to as the ‘Advisory Committee’), which shall be composed of nine members, as follows:

“(1) The Under Secretary of State for Public Diplomacy, who shall serve as Chair.

“(2) The Assistant Secretary of State for Educational and Cultural Affairs.

“(3) Seven members appointed pursuant to subsection (c).

“(b) DUTIES.—The Advisory Committee shall advise the Secretary on programs and policies to advance the use of cultural diplomacy in United States foreign policy. The Advisory Committee shall, in particular, provide advice to the Secretary on—

“(1) increasing the presentation abroad of the finest of the creative, visual, and performing arts of the United States; and

“(2) strategies for increasing public-private partnerships to sponsor cultural exchange programs that promote the national interests of the United States.

“(c) APPOINTMENTS.—The members of the Advisory Committee shall be appointed by the Secretary, not more than four of whom shall be from the same political party, from among distinguished Americans with a demonstrated record of achievement in the creative, visual, and performing arts, or international affairs. No officer or employee of the United States shall be appointed to the Advisory Committee.

“(d) VACANCIES.—A vacancy in the membership of the Advisory Committee shall be filled in the same manner as provided under this subsection to make the original appointment.

“(e) MEETINGS.—A majority of the members of the Advisory Committee shall constitute a quorum. The Advisory Committee shall meet at least twice each year or as frequently as may be necessary to carry out its duties.

“(f) ADMINISTRATIVE SUPPORT.—The Secretary is authorized to provide the Advisory Committee with necessary administrative support from among the staff of the Bureau of Educational and Cultural Affairs of the Department.

“(g) COMPENSATION.—Members of the Advisory Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services of the Advisory Committee.

“(h) EXEMPTION FROM FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act [5 U.S.C. App.] shall not apply to the Advisory Committee to the extent that the provisions of this section are inconsistent with that Act.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Department such sums as may be necessary to carry out this section.

“(j) TERMINATION.—The Advisory Committee shall terminate September 30, 2005.”

[For definitions of “Secretary” and “Department” as used in section 224 of Pub. L. 107-228, set out above, see section 3 of Pub. L. 107-228, set out as a note under section 2651 of this title.]

CONTINUATION OF CERTAIN EXECUTIVE ORDERS, AGREEMENTS, DETERMINATIONS, REGULATIONS, CONTRACTS, APPOINTMENTS, AND OTHER ACTIONS

Section 111(b) of Pub. L. 87-256 provided that: “All Executive orders, agreements, determinations, regulations, contracts, appointments, and other actions issued, concluded, or taken under authority of any provisions of law repealed by subsection (a) of this section [repealing sections 1431(2), 1434, 1439, 1440, 1446, 1448, 1466 to 1468, and 1991 to 2001 of this title, sections 222 to 224 of Title 20, Education, and section 1641(b)(2) of Title 50, Appendix, War and National Defense] shall continue in full force and effect, and shall be applicable to the appropriate provisions of this Act [this chapter] until modified or superseded by appropriate authority.”

REFERENCES IN OTHER LAWS TO REPEALED PROVISIONS

Section 111(c) of Pub. L. 87-256 provided that: “Any reference in any other Act to the provisions of law listed in subsection (a) [repealing sections 1431(2), 1434, 1439, 1440, 1446, 1448, 1466 to 1468, and 1991 to 2001 of this title, sections 222 to 224 of Title 20, Education, and section 1641(b)(2) of Title 50, Appendix, War and National Defense] shall hereafter be considered to be references to the appropriate provisions of this Act [this chapter].”

§ 2451a. Repealed. Pub. L. 91-269, § 7, May 27, 1970, 84 Stat. 272

Section, Pub. L. 89-685, § 8, Oct. 15, 1966, 80 Stat. 974, required registration of international fair, exposition, celebration or other international exhibition with an international organization for participation by the United States. See section 2801 et seq. of this title.

§ 2452. Authorization of activities

(a) Grants or contracts for educational or cultural exchanges; participation in international fairs and expositions abroad

The Director of the United States Information Agency is authorized, when he considers that it would strengthen international cooperative relations, to provide, by grant, contract, or otherwise, for—

(1) educational exchanges, (i) by financing studies, research, instruction, and other educational activities—

(A) of or for American citizens and nationals in foreign countries, and

(B) of or for citizens and nationals of foreign countries in American schools and institutions of learning located in or outside the United States;

and (ii) by financing visits and interchanges between the United States and other countries of students, trainees, teachers, instructors, and professors;

(2) cultural exchanges, by financing—

(i) visits and interchanges between the United States and other countries of leaders, experts in fields of specialized knowledge or skill, and other influential or distinguished persons;

(ii) tours in countries abroad by creative and performing artists and athletes from the United States, individually and in groups, representing any field of the arts, sports, or any other form of cultural attainment;

(iii) United States representation in international artistic, dramatic, musical, sports, and other cultural festivals, competitions, meetings, and like exhibitions and assemblies;

(iv) participation by groups and individuals from other countries in nonprofit activities in the United States similar to those described in subparagraphs (ii) and (iii) of this paragraph, when the Director of the United States Information Agency determines that such participation is in the national interest.¹

(3) United States participation in international fairs and expositions abroad, including trade and industrial fairs and other public or private demonstrations of United States economic accomplishments and cultural attainments.

(b) Other exchanges

In furtherance of the purposes of this chapter, the President is further authorized to provide for—

(1) interchanges between the United States and other countries of handicrafts, scientific, technical, and scholarly books, books of literature, periodicals, and Government publications, and the reproduction and translation of such writings, and the preparation, distribution, and interchange of other educational and research materials, including laboratory and technical equipment for education and research;

(2) establishing and operating in the United States and abroad centers for cultural and technical interchanges to promote better relations and understanding between the United States and other nations through cooperative study, training, and research;

(3) assistance in the establishment, expansion, maintenance, and operation of schools and institutions of learning abroad, founded, operated, or sponsored by citizens or nonprofit institutions of the United States, including such schools and institutions serving as demonstration centers for methods and practices employed in the United States;

(4) fostering and supporting American studies in foreign countries through professorships, lectureships, institutes, seminars, and courses in such subjects as American history, government, economics, language and literature, and other subjects related to American civilization and culture, including financing the attendance at such studies by persons from other countries;

(5) promoting and supporting medical, scientific, cultural, and educational research and development;

(6) promoting modern foreign language training and area studies in United States schools, colleges, and universities by supporting visits and study in foreign countries by teachers and prospective teachers in such schools, colleges, and universities for the purpose of improving their skill in languages and their knowledge of the culture of the people of those countries, and by financing visits by

¹ So in original. The period probably should be a semicolon.